

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F051882      People v. McFearson**

The convictions for assault with a firearm (245, subd. (a)(2)) (count 3) and possession of a controlled substance (Health & Safety Code, 11377, subdivision. (a)) (count 7) are reversed. The convictions on the remaining counts are affirmed. The sentence is vacated and the matter is remanded for resentencing. Cornell, Acting P.J.

We concur: Gomes, J.; Dawson, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F049306      People v. Tucek**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F049306      People v. Tucek**

The judgment is affirmed. Levy, Acting P.J.

We concur: Gomes, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F052231      People v. Valdez**

Filed modification of opinion (change in judgment). Cornell, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F052231      People v. Valdez**

Appellant's petition for rehearing filed herein is denied.

**F052513      In re Shawn H., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F051812      People v. Stone**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F052043      Zapata v. Calif. Dept. of Corrections & Rehabilitation et al.**

No brief having been filed by appellant after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F051565      People v. Bejar**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]